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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/259,427	02/26/1999	MARSHALL A. SLOO	27080	5283

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EXAMINER

NGUYEN, NGA B

ART UNIT PAPER NUMBER

3628

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/259,427

Applicant(s)

SLOO, MARSHALL A. SI

Examiner

Nga B. Nguyen

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is the answer to the communication filed on August 12, 2004, which paper has been placed of record in the file.
2. Claim 1-20 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1-20 have been considered but are not persuasive.

In the applicant's arguments regarding to claim 1, page 9, paragraph 4, page 11, paragraph 3, applicant stated that Campos does not teach "receiving into a computer system an incident report directly from a witness" and "wherein the authority is automatically selected by the computer system". Examiner respectfully disagrees. Campos discloses a new computer-aided dispatch system (CAD) allows the call-takers enter incident data on a computer screen, that information is electronically sent to a master computer, and then dispatched into a police officer's cruiser, a firefighter's truck or a paramedic's ambulance, depending on the nature of the call. Thus, the master computer dispatched the incident information into a police officer's cruiser, a firefighter's truck or a paramedic's ambulance, depending on the nature of the call, i.e. the master computer selects authority (a police officer's cruiser, a firefighter's truck or a paramedic's ambulance) to send the incident information. In Campos, a dispatcher decides what type of response is appropriate for the incident, the master computer is the one who selects authority and sends the incident information to the selected

authority. Moreover, Campos also teaches the CAD system is the ability to keep track of on-duty police officers and firefighters through the computer, a list on a computer shows the status of each officer, computer selects the nearest officer to send the incident information in case an officer is answering a call or eating lunch (see page 2).

Therefore, Campos does teach the authority is automatically selected by the computer system. Noted that Campos is a secondary reference to support the limitation "wherein the authority is automatically selected by the computer system", thus Campos does not necessary to meet the limitation "receiving into a computer system an incident report directly from a witness" already teaches by the primary reference (Maier reference).

Moreover, applicant stated in page 10 that examiner failed to establish a *prima facie* case obviousness. Examiner respectfully disagrees. Examiner strongly believes that examiner satisfied three criteria in order to establish the requisite *prima facie* case of obviousness:

(1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine their teachings. The suggestion or motivation provided by examiner in the rejection comes from the Campos reference itself, Campos teaches that the CAD system save loads of time because before CAD, when a call-taker receives a call, he actually has to hand write the information and then physically stands up and walks that card to the appropriate dispatch position (see abstract). Thus, the aid of CAD system save loads of time, therefore, it is obvious that the authority can quickly receives the incident information in order to solve the ongoing crimes.

(2) there must be a reasonable expectation of success. With the aid of CAD system in Campos, the call-takers enter incident data on to a computer screen, that information is electronically sent to a master computer, and then dispatched into a police officer's cruiser, a firefighter's truck or a paramedic's ambulance, thus the CAD system save loads of time because the call-takers do not have to hand write the information, physically stand up and walk that card to the appropriate dispatch position (see abstract).

(3) the prior art reference (or combination of references) must teach or suggest all the claim limitations. Maier discloses the steps of: receiving into a computer system an incident report directly from a witness who observed an incident; and prompting the witness to provide certain types of information about the incident (Maier, pages 1, 3; web pages allow citizens with computers at home fill out incident reports). Campos discloses selecting an authority to whom the incident report should be sent, wherein the authority is selected based at least in part on information provided by the witness and sending the incident report to the selected authority so that the authority can respond to the incident report (see entire documents, the computer-aided dispatch (CAD) system automatically selects the authority depending on the nature of the call of the witness and sends the incident information the selected authority such as a police officer's cruiser, a firefighter's truck or a paramedic's ambulance). Therefore, the combination of references Maier and Campos teach all the claim limitations.

Applicant stated in page 11, paragraph 2 that Examiner uses hindsight reconstruction to pick and choose among isolated disclosure in the prior art to

deprecate the claimed invention. Examiner respectfully disagrees. The primary reference Maier teaches that the witness can submit an incident report by filling out the report into the computer connected to the Internet. Thus, the incident report is entered into the computer system directly by the witness. The secondary reference Campos teaches that the call-takers enter the incident reports into the computer system on behalf of the witness, i.e., the incident report is entered into the computer system indirectly by the witness, the computer system selects the authority to send the incident report. Thus, the two references Maier and Campos are proper to combine. Therefore, teaching or suggestion to make the claimed combination and the reasonable expectation of success both be found in the prior arts of Maier and Campos, not based on the applicant's disclosure.

Examiner withdraws the alternative rejection stated in the previous office action using Rodriguez and Stockweather references because examiner believes that Maier and Campos is strong enough rejection. Therefore, examiner does not reply upon the Rodriguez and Stockweather references.

In conclusion, for the reasons stated above, the obviousness rejection based upon the combination of Maier and Campos is proper, therefore, examiner decides to maintain the rejection using Maier and Campos references as described in the previous office action (also see details below) and make this office action FINAL.

4. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8, 11, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott Maier, the Seattle Post Intelligencer, in view of Carlos Campos, The Atlanta Journal-Constitution.

Regarding to claim 1, Maier discloses a computer-based method of collecting and processing incidents observed by witnesses comprising the steps of: receiving into a computer system an incident report directly from a witness who observed an incident; and prompting the witness to provide certain types of information about the incident

(Maier, pages 1, 3; web pages allow citizens with computers at home fill out incident reports).

Maier does not disclose selecting an authority to whom the incident report should be sent, wherein the authority is selected based at least in part on information provided by the witness and wherein the authority is automatically selected by the computer system based on information entered into the incident report by the witness; and sending the incident report to the selected authority so that the authority can respond to the incident report. However, Campos discloses selecting an authority to whom the incident report should be sent, wherein the authority is selected based at least in part on information provided by the witness and sending the incident report to the selected authority so that the authority can respond to the incident report (see entire documents, the computer-aided dispatch (CAD) system automatically selects the authority depending on the nature of the call of the witness and sends the incident information the selected authority such as a police officer's cruiser, a firefighter's truck or a paramedic's ambulance). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the features taught by Campos above with Maier for the purpose of time consuming because the authority is automatically selected by the computer system, thus providing the authority with timely information that can be utilized to quickly solve the ongoing crimes.

Regarding to claim 2, Maier discloses the incident being selected from the group consisting of a criminal act, a legal violation, a sale of a defective product, and a

rendering of an unsatisfactory service (page 1, drug dealers, murdered; page 3, illegal sale of guns to youths, being raped, robbed, stabbed, beaten, murdered).

Regarding to claim 3, Maier does not directly teach prompting the witness to enter into the incident report identification information identifying the offender. However, Maier teaches citizens can file online crime reports using the web page. Moreover, it is well known to include the identification information identifying the offender in the crime report. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the identification the offender in the crime report in Maier crime reports for the purpose of providing the offender information to the authority, in order to assist the authority to solve crimes.

Regarding to claims 4-6, Maier and Campos do not disclose receiving additional identification information identifying the offender and adding the additional identification information to the incident report; the additional information being obtained by searching files accessible by the computer system or receiving from the authority based on the identification information entered by the witness. However, it is well known in the art to receive additional information about the offender by searching the computer system or receiving from the authority. For example, a police officer can obtain more information about the offender by searching the computer database or receives from the other resource such as individuals, groups of influence in the community or organizations, etc.... Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above in Maier modified by Campos

for the purpose of providing more information about the offender in order to quickly solve ongoing crimes.

Regarding to claims 7-8, Maier and Campos does not disclose the authority is an agency selected from the group consisting of a local police department, a local prosecutors office, the Federal Bureau of Investigation, the Central Intelligence Agency, a governmental agency rather than an individual agent representing the agency. However, transmitting an incident report depends on the type and how serious of the incident to the selected agency from different agencies such as a local police department, a local prosecutors office, the Federal Bureau of Investigation, the Central Intelligence Agency, a governmental agency, is well known in the art of handling the crime incidents in the United State of America. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above in Maier modified by Campos for the purpose of providing more efficiency in solving ongoing crimes.

Regarding to claim 11, Maier discloses incident reports from a plurality of different witnesses are received in the computer system (Maier, pages 1, 3; web pages allow citizens with computers at home fill out incident reports).

Claims 17, 18 contain the same limitations found in claims (1, 3), 7, respectively, therefore are rejected by the same rationale.

7. Claims 9, 10, 12-16, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott Maier, the Seattle Post Intelligencer, in view of Carlos Campos,

The Atlanta Journal-Constitution, and further in view of Colgan, U.S. Patent No. 5,510,978.

Regarding to claims 9,10, Colgan discloses the features not taught by Maier and Campos, receiving into the computer system an action report from the authority explaining the action the authority took in response to the incident report and storing the action report along with the incident report in a file accessible by the computer system (column 17, lines 31-50). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above in Maier modified by Campos for the purpose of providing more convenient to the authority to access the crime information in the computer system in order to assist the authority to solve crimes.

Regarding to claims 12-14, Colgan discloses the features not taught by Maier and Campos, storing the incident reports in a searchable database, permitting persons to access the searchable database to view the incident reports (column 16, lines 25-55), and receiving additional incident information from the persons that access the searchable database and adding the additional incident information to the incident reports to assist the authorities to solve crimes (column 17, lines 9-22). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the features above in Maier modified by Campos for the purpose of for the purpose of providing more convenient to the authority to retrieve crime information in the computer system in order to assist the authority to solve crimes.

Regarding to claims 15,16, Maier, Campos and Colgan do not disclose sending the additional identification information to the witness and prompting the witness to update the incident report based on the additional identification information. However, contacting the witness to receiving more information about the offender is well known, moreover, conventional electronic message allows people to send and receive messages over the computer network. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Maier modified by Campos and Colgan for the purpose of allowing the witness to receive and update information in order to assist the authority to solve crimes.

Claims 19, 20 contains the same limitations found in claims 9, (1, 3, 7, 9, 12), respectively, therefore, are rejected by the same rationale.

Conclusion

8. Claims **1-20** are rejected.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-1113.

10. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
C/o Technology Center 3600
Washington, DC 20231

Or faxed to:

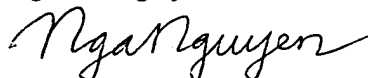
(703) 872-9326 (for formal communication intended for entry),

or

(703) 308-3691 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, Seventh Floor (Receptionist).

Nga B. Nguyen



November 10, 2004